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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,869	08/07/2001	Sugio Makishima	09055-0266P-SP	8515
2292	7590	01/20/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			POON, KING Y	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/922,869

Applicant(s)

MAKISHIMA ET AL.

Examiner

King Y. Poon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 5,6,8 and 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,7 and 10-13 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 5, 6, 8, 9 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 10/31/2005.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 7 is rejected under 35 U.S.C. 102(e) as being anticipated by Tamura et al (US 6,771,896).

Regarding claim 7: Tamura teaches a method of controlling operation of a print system (fig. 3, fig. 4) comprising the steps of: receiving a contact destination to be contacted at end of printing (column 4, lines 40-60) by short- distance communication (column 10, lines 29-34); printing an image on a visible recording medium (column 16, lines 64-67); determining whether the printing has ended; and in response to a determination that printing has ended, transmitting data indicating that printing has ended to a data processing unit, which is specified by the contact destination that has

been received, via a communication channel (column 13, lines 1-16, column 9, lines 40-50).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 10, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura et al (US 6,771,896) in view of Parulski et al (US 6,573,927) and Attenberg (US 5,913,019).

Regarding claim 1: Tamura teaches a print system (fig. 4) comprising: a housing (the housing of 220 or 210, fig. 4, fig. 3), an input unit (211, fig. 4 or the input device that is receiving inputs from the digital camera) on the housing for inputting a contact destination to be contacted (column 4, lines 40-60) at end of printing; a printer (220, fig. 3 or fig. 4) in the housing for printing an image on a visible recording medium (prints, column 9, lines 34-40); a first determination unit (the program of the computer 222, column 10, lines 57-65, that determines prints are completed, column 4, lines 45-60, fig. 3, column 13, lines 1-15) determining whether printing by said printer has ended; and a transmitting unit (NCU 227, column 13, lines 1-15), which is responsive to a determination by said determination unit that printing has ended, for transmitting data

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indicating that printing has ended to a data processing unit outside the housing and, specified by the contact destination input by said input unit, via a communication channel (e-mail or phone, column 13, lines 1-15, column 4, lines 50-60).

Although Tamura teaches unit 210 and unit 220 are united solidly, and it is well-known in the art that things that are united solidly probably are under a same housing, Tamura does not specifically disclosed that.

Parulski, in the same area of ordering and printing photographs from a digital camera, teaches it is well known in the art to have the printing unit and ordering unit to be enclosed in a Kiosk, and Attenberg teaches a Kiosk enclosed all its components in one housing (fig. 1).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Tamura to include the unit 210 and unit 220 in a housing.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Tamura by the teaching of Parulski and Attenberg because integrating all components in one housing would 1) reduced space, such that rent would be reduced for commercial vendors, 2) the system would be well-protected; and 3) let users known it a system as a whole for convenient.

Regarding claim 2: Tamura teaches wherein said data processing unit is capable of short-distance communication with said print system (column 10, lines 28-34), said input unit receives identification data, which identifies said data processing unit (column 4, lines 42-45), as the contact destination transmitted from said data

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processing unit by short-distance communication (column 3, lines 21-25), and the transmitting unit transmits the data indicating that printing has ended to said data processing unit, which is identified by the identification data, by short-distance communication (column 5, lines 1-11).

Regarding claim 3: Tamura teaches the system according to claim 2, further comprising an image data receiving unit for receiving image data transmitted from said data processing unit by short-distance communication (column 2, lines 20-40, column 10, lines 29-34), wherein said printer records an image represented by the image data, which has been received by said image-data receiving unit, on a visible recording medium.

Regarding claim 10: Tamura teaches the system according to claim 1, further comprising: a media inserting unit for inserting a medium storing image data; wherein said printer prints the image represented by the image data recorded on the inserted medium on the visible recording medium (column 17, lines 1-10).

Although such disclosure is used for another embodiment disclosed on fig. 9, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the invention disclosed in fig. 3 and 4 to include a media inserting unit for inserting a medium storing image data; wherein said printer prints the image represented by the image data recorded on the inserted medium on the visible recording medium. Such modification is obvious because Tamura already realized image data can be printed not only in a digital camera, but would also be

printed by storing the image data in a recording medium and insert the recording medium into a printer device for printing.

Furthermore, Parulski teaches it is well known in the art to have a print order system to received image data from a digital camera as well as from a recording medium (column 2, lines 55-67, column 3, line 67, column 4, lines 1-2, column 2, lines 12-18).

Regarding claim 11: Parulski teaches the system according to claim 1, further comprising: a display unit for displaying the contact destination received by said input unit (224, fig. 4, column 9, lines 40-41, column 10, lines 64-67).

6. Claims 12, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura et al (US 6,771,896) in view of Wu et al (US 6,292,307).

Regarding claims 12, 13: Tamura teaches a print system (the system of the digital camera, order counter 210 and the printing device 220, column 9) comprising: operating buttons (column 20, lines 10-14) for inputting a contact destination to be contacted at the end of a printing (column 4, lines 40-60); a printer (220, fig. 3) for printing images on visible recording media (column 16, lines 64-65); a determination unit (the control unit of column 13, lines 1-15 that detects the end of printing) for determining whether the printing by said printer has ended; and (NCU 28, column 13, lines 10-13) a transmitting unit (NCU 28, column 13, lines 10-13) responsive to a determination by said determination unit that the printing has ended for transmitting to a

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data processing unit via a communication channel data indicating that the printing has ended.

Tamura does not teach a keypad for inputting information.

However, Wu teaches it is well-known in the art to use a keypad for inputting information for a digital camera (column 1, lines 55-65).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Tamura's digital camera to use keypad for inputting information.

Such modification would have allowed digital camera with keypad to make used of Tamura's invention to increase the market share to increase profit.

#### ***Allowable Subject Matter***

7. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

8. Applicant's arguments with respect to claims 1-4, 7, 11-13 have been considered but are moot in view of the new ground(s) of rejection.

Please see detailed office action.



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9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is 571-272-7440. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 12, 2006

A handwritten signature in black ink, appearing to read 'K. Y. Poon', with a stylized flourish at the end.

**KING Y. POON  
PRIMARY EXAMINER**